

**Department of State  
Voting System Equipped for Accessibility  
SOS RFP 2005-003**

**Responses to Vendor Questions**

**June 24, 2005**

Number	Vendor Questions and State Responses
	<b>Elaboration on the Term “Deliver”</b>
Question 1	Has the State determined the definition of “deliver” of equipment by December 31, 2005?
Answer 1	<p>The following elaborates on the meaning of the terms “deliver”, “delivered”, and “delivery” as these terms appear in RFP Sections 1.1, 1.26, 1.27 and Attachment D, Table D1.0-1: Equipment must be available to conduct a special election on January 1, 2006 should the need arise, and to conduct elections during town meeting cycle, which begins on the first Tuesday in March, 2006. Specifically, a vacancy in a seat in the U. S. House of Representatives could conceivably result in a special election in early 2006. Vacancies in other offices would not require a HAVA-compliant voting system in the special election in early 2006. If delivery by January 1, 2006 would unnecessarily increase costs, the State would be receptive to a proposal providing staggered delivery early in 2006, provided the Vendor agrees that, in the very unlikely event that a Congressional special election occurs, it will satisfy the State’s HAVA requirements by providing or lending a sufficient number of the contracted equipment and/or services.</p>
	<b>HAVA Budget for Voting Systems</b>
Question 2	I checked the New Hampshire HAVA State Plan and got the impression that the amount of money that was being allocated to the accessible voting systems project may be limited. Is that correct?
Answer 2	<p>Vendors should check the updated draft of the 2005 HAVA State Plan on the State’s website at <a href="http://www.sos.nh.gov/HAVA/State%20Plan%202005-06-02.pdf">http://www.sos.nh.gov/HAVA/State%20Plan%202005-06-02.pdf</a>.</p> <p>Given the uncertainty of the voting system options and the long-term nature of the spending plans required by the Legislature, the revised 2005 HAVA State Plan draft contains language with added financial flexibility and allocates additional funding for a voting system equipped for accessibility.</p>
	<b>Quantity Throughput</b>
Question 3	One of the requirements was that the voting system must be able to handle 350 voters in one day. The Vendor is not sure if any voting component would be able to handle this volume. Can the State clarify this requirement?

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Answer 3	<p>The reference is to RFP Section 1.2: “For the purpose of this RFP, Vendors should assume that the State will purchase a system suitable to provide simultaneous voting for up to 350 voters at up to approximately 309 physical locations around the State.” This statement does not mean that the State is requiring any one voting machine to accommodate 350 voters at each polling place in one election. It means that the voting system must be robust enough to accommodate 350 voters who are voting simultaneously throughout the State. This figure assumes that there will be at least one voting system in each polling place and more than one system in high-volume polling places. If the solution proposed is a stand-alone unit, it is expected that it will allow one voter at a time to use it. If the proposed solution relies on a single central server/unit, i.e. a phone/Internet- facsimile system where the ballot programs are located in Concord and the voter interacts with an Internet browser or telephone/fax machine, then the State central unit must accommodate up to 350 simultaneous statewide users.</p>
	<b>Purchase Volume</b>
Question 4	<p>Vendors read basically two sections or two systems that the State is looking at in the RFP. One is a HAVA compliant system and a second is a possible replacement for uniformity in precinct-count optical scanning machines. In the RFP it asks for the specific quantity of precinct-count optical scanning machine units but Vendors could not find where it asks for a specific quantity of ADA or HAVA compliant units. Does the State think that it will be 309?</p>

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Answer 4	<p>If Vendors are proposing a single solution so that the smallest towns to the largest city polling places use the same device, then the State may purchase 350 accessible voting units. (The State does not promise in the RFP that the State will be purchasing or leasing a particular quantity of accessible voting units. See RFP Section 1.2). If Vendors propose that every polling place with a certain number of registered voters or less use accessible voting unit A and every polling place with a larger number of registered voters use accessible voting unit B, then the State may still buy a combined total of 350 accessible voting units, depending on throughput projections. The proposal may suggest how many will be type A and how many will be type B.</p> <p>If, for example, the State selected a Vendor's proposal for one single accessible voting unit that uses the phone/Internet/facsimile, then the State might purchase one central unit, including failsafe backup redundancy, and the necessary number of phones/faxes. The intention is to allow Vendors to be creative in mixing and matching solutions to best meet the needs of the State.</p>
	<b>Different Equipment for Towns of Different Sizes</b>
Question 5	Should Vendors propose different methods for different towns?
Answer 5	The State is receptive to such different proposals if the Vendor's best solution involves different equipment based on the size of the community. However, different proposals are neither expected nor required.
Question 6	Whether Vendors sell 309 units or only 100 units, training is going to be significant. Should a Vendor's training and implementation costs be structured on the varying scenarios addressed in their proposal?
Answer 6	A Vendor's proposal should include the costs of training and training materials, as set forth in the RFP. If a Vendor proposes different solutions for different-sized communities, the Vendor needs to include in its proposal the training for each solution.
	<b>Ballot Printing Costs</b>
Question 7	Will the State consider the cost of ballots as part of the RFP?

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Answer 7	<p>Historically, ballots have been paid for by sources other than the election fund established under HAVA. The State does not anticipate the cost of the paper or printing to be paid for from the State election fund established pursuant to State law in response to HAVA.</p> <p>However, the RFP does ask that Vendors identify long-term costs, including paper and ink, so that future costs may be understood and evaluated.</p>
	<b>Phone/Facsimile</b>
Question 8	In using the term “phone-facsimile,” did the State mean the phone-facsimile would be used for the purpose of reporting election results?
Answer 8	No. In RFP Section 1.1, the Summary Statement, the “phone facsimile” referred to a system that would communicate a voter’s choices regarding how he or she wants to mark a ballot to a central unit, which would in turn fax a marked ballot or its equivalent back to the polling place.
Question 9	In RFP Section 1.1, the Summary Statement, it says the State is also interested in the “phone/facsimile based interface”. If local polling places have a phone line, would an Internet solution be OK for that? Is it feasible to use the Internet?
Answer 9	Yes, Vendors need to be creative. The State recognizes a challenge in simultaneously satisfying Derry, with over 19,000 registered voters, and certain towns that may have only 10 people show up at the polls on election day. If the solution requires communications with a central unit, then any feasible proposal will be considered. For the purposes of these proposals, a Vendor’s proposal should assume that there will be phone lines available at all polling places, and that half of the polling places will have some other form of Internet access to the facility where the polling place is located. Vendors may wish to consider proposing an interface with their existing systems that would enable a phone/Internet/facsimile system to operate their existing system remotely.
	<b>Precinct Count Optical Scanning Machines/Plain Paper/Column Style Ballot</b>
Question 10	Does the State have a solution that will enable it to keep the precinct-count optical scanning machines it currently has?

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Answer 10	Yes. The State may be able to keep its Accuvote precinct-count optical scanning machines, but will be unable to keep its Optech precinct-count optical scanning machines due to the column-style ballot requirement in the law. Refer to column-style ballot in Attachment I, Concord General Election ballot, November 5, 2006.
Question 11	Would the cost of replacing the Optech precinct-count optical scanning machines fall within the requirement in State law that an amount equal to twenty times any ongoing cost must be set aside?
Answer 11	No.
Question 12	If a Vendor proposes a solution that would help the State meet the HAVA Section 301 accessibility requirements, might the State just keep the existing precinct-count optical scanning machines?
Answer 12	Yes.
Question 13	Does the term “plain paper” mean the State will use one-sided or two-sided ballots?
Answer 13	If the Vendor elects to propose a precinct-count optical scanning machine, the proposal must State whether the proposed machine will count a two-sided ballot with a single pass.
Question 14	Clarification. What is meant by “plain paper”?
Answer 14	The State defines plain paper as copier/dual purpose 20 lb. white paper. Brightness factor = not less than 83. If the Vendor’s proposed solution requires anything other than this class of plain paper, it must provide the paper specifications.
Question 15	Is there any reason that the State can’t retain what it has now? In the RFP the State mentions plain paper. Is that a requirement?

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Answer 15	<p>Plain paper, as defined by the State, is not a requirement. It is clear in the RFP that the output of the voting system has to be some piece of paper. If that output is a plain paper ballot that could be scanned by a plain paper precinct count optical scanning machine, then the State believes savings could be achieved by reducing layout, configuration, proofing and paper costs.</p> <p>It is desirable that the paper that the voting system produces look as much like the regular ballots as possible so that recounts can be conducted efficiently and the privacy of voters with disabilities can be enhanced. The State is not attempting to discourage any Vendor whose product does not produce a ballot that closely resembles the regular ballot.</p>
Question 16	The State mentioned a column style. Is that a requirement?
Answer 16	<p>Effective January 1, 2005, State law requires a column-style ballot. This changes the State's ability to use existing precinct-count optical scanning machines. For that reason, New Hampshire is in a transition point with the existing precinct-count optical scanning machines in use. There are in use two pieces of equipment from different manufacturers - Accuvote and Optech. The Optech cannot count the column-style ballot, therefore some technology changes will have to be made. Unless some proposal convinces the State that it is both economical and advantageous choose a different system, the State will eliminate the Optech machines and replace them with Accuvote machines.</p>
Question 17	So, the Optech will be eliminated?

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Answer 17	<p>Correct. There will either be some new system that a Vendor may propose or, the State will replace the Optechs with Accuvotes that can read column-style ballots. The State recognizes that the cost of printing thick paper ballots for the Accuvote is greater than the cost of printing plain paper. The State is using this opportunity to say that, while it is looking at this accessible voting system, Vendors may give the State some information regarding how a Vendor might help the State to make a transition to plain paper.</p> <p>This is an option in the RFP that is secondary to the primary objective, which is to satisfy the accessible voting system requirements of HAVA. The expectation is that in the 2006 - 2008 elections the State could be using the Accuvotes and it will continue to be a town-by-town decision whether to hand count or to use a precinct-count optical scanning machine. Under this arrangement, the towns and cities buy the precinct-count optical scanning machines and pay to have them programmed. Through this solicitation process, a Vendor may present a proposal whereby the State would convert to a plain paper precinct-count optical scanning machine which would be paid for in part with the savings in the ballot printing costs.</p>
Question 18	<p>So, the State has two things that it must do, the HAVA Section 301 accessibility requirement and the replacement of the Optech. Those are the two must haves?</p>
Answer 18	<p>Yes, with the caveat that the primary objective is compliance with the HAVA requirement for accessible voting machines. However, the replacement of the Optechs will happen regardless of HAVA. Unless the State does decide to convert all machine-count towns to a plain paper precinct-count optical scanning machine, it will simply be a matter of the State paying to replace the Optechs with Accuvotes.</p>
Question 19	<p>I could use plain paper today but if I'm not careful with the overlay and people marking ballots from the backside, it becomes an issue. I think that since the State is asking for plain paper, there needs to also be a requirement that plain paper be capable of being printed on both sides and being able to be voted on both sides as opposed to the cost issue of printing on one side. Then twice as many ballots have to be printed. I ask that the State clarify what plain paper means and make sure that the State establish a requirement that it needs to be printed on both sides and be able to distinguish both options. Will the State do that?</p>

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Answer 19	<p>The State defines plain paper in its answer to Question 14. The State will not require that plain paper technology be capable of being printed, voted and scanned on both sides but will consider such factors in the cost analysis of any proposal that contains a plain paper ballot or precinct-count optical scanning machine response. As indicated in Answer 14, each proposal must clearly state whether the optical scanner proposed can count a ballot printed and marked on two sides in a single pass through the scanner.</p>
Question 20	<p>Can I ask for clarification on the definition of paper ballots? What paper records need to be available to the voters and would that be for the non-seeing voters as well? Is it the State's intent that the paper record or ballot of the voter's vote be available at the precinct for the voter to verify?</p>
Answer 20	<p>Yes, the ballot or record of the voter's vote must be available at the precinct where the vote was cast and it must be available to all voters. With a mind toward all the issues of security, the State's response to security concerns is, in part, a solution that will separate the ballot marking from the ballot counting process. The State wants to have a human being in some way moving that piece of paper that will be counted to whatever counting system is used, whether that is a ballot that can be scanned or a ballot or piece of paper with just the names of the persons for whom the voter voted and is hand counted.</p>
Question 21	<p>Does the term 'paper ballots' also include electronic ballots that are cast on the accessible DRE voting units?</p>
Answer 21	<p>No. RFP Section 1.3 defines "paper ballot" as follows: h. <b>Paper Ballot</b> – New Hampshire law requires that each vote be counted from a marked piece of paper. This entails a solution that documents, in some form, the vote of the voter on a marked piece of paper. The State would consider the use of a preprinted ballot or a system that produces a ballot that is similar to the actual ballot used at the polling place to be the ideal "paper ballot". This term, however, includes solutions that produce any other type of individual printed paper record of each vote provided that the system makes that record available to the voter, and, that it can be conveniently transferred from the system output device to a ballot box or ballot counting device. This term also includes systems that record on paper only the names of the candidates and office or question and answers chosen by the voter.</p>



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Question 22	The definition of "paper ballot" (RFP Section 1, page 3 of 90) states that the term "includes solutions that produce any other type of individual printed paper record of each vote provided that the system makes that record available to the voter." Is the State describing a voter verifiable paper trail as part of the proposed voting system?
Answer 22	Yes. Please see the State's answer to Question 20 in this response document.
Question 23	Since New Hampshire law requires that each vote be counted from a marked piece of paper, does "paper record" refer to a voter verifiable paper trail, or to cast votes retrieved from the individual units and printed in report form?
Answer 23	The term "paper record" refers to a piece of paper that has been marked in a manner that would allow both the voter and election officials to read that piece of paper and know for whom the voter voted. This requirement has some of the characteristics of what has become known as a "voter verifiable paper trail," however we encourage vendors to use the specific definitions in the RFP.
Question 24	Is the State interested in electronic tabulation of cast votes?
Answer 24	No. The exception is tabulation by a precinct-count optical scanning machine, an option that a Vendor could propose.
	<b>Ballot Characteristics (Straight ticket, cross endorsements, etc.)</b>
Question 25	To be fair in the oral presentations, there should be the same pre-established ballots demonstrated by each Vendor. What will they be?

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Answer 25	<p>For the oral presentations, the State wants the Vendor to demonstrate coding for the following ballots which appear in Attachment I:</p> <ul style="list-style-type: none"><li>a) Town election ballot: The March 8, 2005 Town of Atkinson ballot, <b>only</b> questions 2005-05 through 2005-14.</li><li>b) State/federal (column-style) ballot as provided November 5, 2006 for the Concord General Election for November 5, 2006.<ul style="list-style-type: none"><li>i. Please substitute the name Nancy Elliott for the name Joseph Donahue in the Democratic column for State Representative; and,</li><li>ii. If the system that the Vendor is proposing can accept tab delimited input files and the Vendor wishes to demonstrate that capability, the State will publish such a file for the Vendor's use at - <a href="http://www.sos.nh.gov/HAVA/HAVA%20rfp.htm">http://www.sos.nh.gov/HAVA/HAVA%20rfp.htm</a></li></ul></li></ul>
Question 26	Should the State include the State requirements for cross-endorsed candidates?

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Answer 26	<p>For the purposes of the proposal that will satisfy HAVA, Section 301 requirements - the ballot-marking solution – the State does not believe New Hampshire’s law which permits cross-endorsed candidates should affect the proposal. The output of the proposed system must be a piece of paper which in some manner communicates which candidate(s) the voter has selected. It does not require identification of the party to which the candidate belongs. In other words, if John Doe has been nominated as both the Republican and the Democratic candidate for State Representative and receives a vote on either or both sides, the output does not need to communicate whether the voter selected the name John Doe from the column of Republican candidates or the column of Democratic candidates.</p> <p>For the purposes of the optional proposal to provide a precinct-count optical scanning machine solution, it will be necessary that the ballot coding software have the capacity for users to easily identify cross-endorsed candidates. It will also be necessary that the system count a ballot as a single vote for that candidate where the name of that cross-endorsed candidate is marked in one or more than one place. In the case where that candidate is running in a race where the voter instructions are “vote for one”, it will be necessary that the system not treat a ballot as an over vote where a cross-endorsed candidate has been marked twice (against the candidate’s name as it appears in both party columns). In the above case, the candidate gets one vote and the ballot is not kicked back as an overvote ballot.</p> <p>In the case where the candidate in a race in which the voting instructions are “vote for _____ (some number greater than one) _____” a ballot where a cross-endorsed candidate is marked more than once will result in an undervote. (In this case, the candidate gets one vote only and the second mark is, in effect, a wasted vote). See Answer 21 b) i to Question 21.</p>
Question 27	Will a straight party vote still be an option for the voter?
Answer 27	Yes.
Question 28	If a voter selects a Republican straight ticket then selects a candidate who is a Democrat, isn’t it true that the straight ticket Republican vote in the race in which the Democratic candidate was selected is voided and only the Democratic vote counts in that race?

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Answer 28	Yes. In New Hampshire a voter has the right to pick a straight party choice which would indicate a vote for all candidates in one party. That voter then has the right to go down the ballot and pick from any other party or independent or undeclared candidates. In the races in which the voter selects a candidate from a party other than the party that was selected as a straight ticket, the vote(s) for that specific race supersede the straight party vote for that race only.
	<b>Ballot Configuration/Coding Costs</b>
Question 29	What about coding costs for small towns that do not currently use precinct-count optical scanning machines?
Answer 29	The State is concerned about long-term ballot configuration costs on towns that have never had to pay them before HAVA. For this reason, the State is seeking proposals that achieve savings in ballot configuration, training, set-up, testing and storage.
Question 30	The State's comments regarding coding or programming ballots confused me. What does the State mean when it says that it will not pay for the programming of ballots in every instance?
Answer 30	It is anticipated that the system purchased as the result of this RFP will be utilized in State and federal elections because federal law requires it. It is also anticipated that the system will be used in municipal elections because it is there and available, not because federal law requires it. In local elections, communities may want to provide the same opportunity for their voters with disabilities. In such cases, the cities and towns would have to cover the cost of programming, configuring, or coding ballots.
Question 31	The State is not talking about compensating cities and towns for existing costs, existing coding and ballot costs, is it?
Answer 31	The existing cost of programming, configuring or coding ballots for precinct-count optical scanning machines is now paid for by 170 towns and cities for each election. These towns and cities would be expected to continue to pay that cost.
Question 32	Regarding the coding or programming process, can Vendors get samples of ballots? Is there a way Vendors can get some sample ballots for different towns or are they basically the same?

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Answer 32	The State created a pricing section seeking the Vendor's price to code, program or configure certain ballot styles. The State will calculate how these costs will aggregate on a statewide basis. The objective of the RFP is to provide a simplified sample of the overall statewide coding requirement so that proposals can be effectively compared.
Question 33	Where should a Vendor enter the cost for a software license for election management (ballot configuration)?
Answer 33	<p>If a Vendor intends to incorporate election management (ballot configuration) software licensing into the proposed system, The Vendor should enter that cost in Attachment D, Table D1.0-1 and Table D5.0-1, with an explanation beneath the Table. In the explanation, the Vendor may explain how the cost of election management (ballot configuration) software could be broken out from the line items in Table D1.0-1. This explanation and break out would effectively give the State the option whether or not to purchase election management software.</p> <p>In the above scenario, the Vendor should estimate the <b>State and local government staff</b> costs for configuring the ballot in Table D8.0-1.</p> <p>If the Vendor determines not to offer to license its election management (ballot configuration) software, the Vendor should include the <b>Vendor's</b> cost of configuring the ballot styles in Table D8.0-1.</p>
Question 34	Should the Vendor's proposal rely upon the assumption that all cities and towns could use the election management software?
Answer 34	Yes, if election management (ballot configuration) software licensing is proposed by the Vendor, the license should allow the State and all its cities and towns to use the software.
	<b>Software Version Control</b>
Question 35	<p>The following questions address requirements in H 2.3.7 Certifications and Testing: <i>1. Identify the software version in NIST's Software Library.</i> Please be more specific about this requirement. Are you asking vendors to</p> <ul style="list-style-type: none"> <li>- Provide a list of all of vendor's software versions that are in the NSRL or</li> <li>- Provide a confirmation that the software versions the vendor is proposing are in the NSRL.</li> </ul>

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Answer 35	The State is seeking a confirmation that the software versions that the vendor is proposing are listed in the NIST Software Library if such versions have been qualified by an ITA.
	<b>Ease of Use – Voters</b>
Question 36	Section H.2.2.5 Ease of Use – Voters, Item 18, asks if the system proposed by the Vendor is compatible with new accessibility technology. Can the State be more specific, providing a list of specific accessible technology?
Answer 36	The State is interested in understanding what, if any, accessibility technology the Vendor’s proposed system could utilize to accommodate persons with the full range of disabilities. An example of such a device would be a sip/puff switch that would enable persons with limited upper-body mobility to access the proposed voting system. The State does not have a list of accessible technology. RFP Attachment H, Table H 1.0 Page Limits for Topics Requiring Narrative Response, provides a ten-page limit devoted to this topic and the State expects that Vendors will utilize those pages to fully explain the capabilities and compatibilities of their proposed systems in their narrative response.
	<b>Proposal Appendices</b>
Question 37	RFP Section 4.5.7, page 18 of 90 explains that appendices are either optional or mandatory. What information or kinds of exhibits are to be provided in each appendix?

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Answer 37	<p>The RFP contains ten evaluation topics for which appendices are either mandatory or optional. The types of information or kinds of exhibits that are applicable for each are:</p> <p><u>Long-term Costs (Optional)</u> – spreadsheet detailing the long-term costs.</p> <p><u>Ease of Use-Election Officials (Mandatory)</u> – detailed workflow diagram for the polling place.</p> <p><u>Certifications and Testing (Optional)</u> – Independent Testing Authority (ITA) qualification report and complete results of ITA qualification testing for (a) the proposed voting system equipped for accessibility and (b) the precinct-count optical scanning machine, if proposed.</p> <p><u>Product Literature (Optional)</u> – self-explanatory.</p> <p><u>Vendor Organization (Optional)</u> – detailed organizational chart of the vendor’s organization.</p> <p><u>Financial Capability (Mandatory)</u> – required financial statements.</p> <p><u>Work Plan (Optional)</u> – work plan flow chart.</p> <p><u>Project Management and Staffing Capability (Optional)</u> – vendor staff resumes.</p> <p><u>Precinct Count Optical Scan Ballot Counting Machines for Plain Paper ballots (Optional)</u> – product literature and a detailed workflow diagram for the polling place.</p> <p><u>Phone/facsimile system connected to a central system (Optional)</u> - product literature and a detailed workflow diagram for the polling place.</p>